

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

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Stacey L. Mullen, Esquire  
2091 N. Springdale Road  
Suite 17  
Cherry Hill, NJ 08003  
(856) 778-8677  
By: Stacey L. Mullen, Esquire (SM5598)

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In Re:  
Kevin and Denise Stelmach,

Case No.: \_\_\_\_17-26909  
Judge: \_\_\_\_ABA  
Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION  
X TO CREDITOR'S MOTION OR CERTIFICATION OF DEFAULT  
TO TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following  
(choose one):

1. \_\_\_\_ Motion for Relief from the Automatic Stay filed by creditor  
. A hearing has been scheduled for  
at \_\_\_\_ am

OR

\_\_\_\_ Motion to Dismiss filed by the Standing Chapter 13 Trustee.  
A hearing has been scheduled for \_\_, at \_\_\_\_ am.

X Certification of Default filed by creditor, US Bank/Shellpoint  
I am requesting a hearing be scheduled on this matter.

OR

\_\_\_\_ Certification of Default filed by Standing Chapter 13 Trustee  
I am requesting a hearing be scheduled on this matter.

I am objecting to the above for the following reasons (choose one):

- \_\_\_\_ Payments have been made in the amount of \$ \_\_\_\_\_, but have  
not been accounted for. Documentation in support is attached hereto.  
\_\_\_\_ Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

X Other (**explain your answer**): Debtors are currently submitting payments to Shellpoint. In 2019 debtors were notified that the mortgage was sold to another company so debtors submitted their payments to said company. Debtors will supply proof of above and, based on above, debtors believe they are current.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify the above facts to be true. I am aware that if the above facts are willfully false, I am subject to punishment.

Date: 11/19/20

/s/ Kevin Stelmach  
Debtor's Signature

Date: 11/19/20

/s/ Denise Stelmach  
Debtor's Signature

**NOTE:** Pursuant to the Court's General Orders entered on January 4<sup>th</sup>, 2005, this form must be filed with the Court and served upon the creditor and the Standing Chapter 13 Trustee, **at least seven (7) days before the return date, pursuant to DNJ LBR 9013-1(d), Motion Practice**, if filed in opposition to a *Motion for Relief from the Automatic Stay*; and **within 10 days of the filing of a Creditor's Certification of Default under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions**. Absent the filing of this mandatory new form, the creditor's stay relief motion will be deemed uncontested, and the creditor's appearance at the hearing will *not* be required.

1/3/05/jml